

Remarks

Reconsideration and allowance of all pending application claims are respectfully requested because of this timely filed amendment including the following comments. Claims 1, 20, 25, and 27 have been amended, while claim 26 has been cancelled.

The rejection of the claims 1-3, 6-16, 18-22 and 24 under 35 USC 103(a) as being unpatentable over Kililunen in view of Eisenhower is respectfully traversed.

Kililunen is a primary reference whose shortcomings the Examiner has attempted to cure by reference to the Eisenhower patent.

Applicants submit that this combination of patents is based on the hindsight gathered from their disclosure. Such hindsight is impermissible since the references when combined would work against each other. Kililunen is not at all concerned about EMC. Eisenhower's invention is directed to a rigid walled outer enclosure that is in the category of prior art type devices noted in applicants' specification.

Eisenhower teaches a filter ventilator combination. This arrangement requires a motor for ventilation, an insertion frame for the filter, a cap, and a grid for EMC. A filter 14 can be inserted into the insertion frame 12. The filter 14 has a square shape and its cross section is slightly smaller than the internal cross section of the insertion frame 12. A cover cap 30 is stuck together with the insertion frame 12, so that the filter 14 can be clamped between the cap 30 and the insertion frame 12. The cover cap 30 is in contact with the outer surface of a wall. The cover cap 30 and the insertion frame 12 can be put together in such a way that the filter 14 fits into the cavity formed between the cover cap 30 and insertion frame 12. The entire periphery must also be sealed against EMC leakage.

While Eisenhower recognizes the desirability of achieving EMC leakage control for the entire filter ventilator, he/she also teaches that the several rigid components must be joined together for filtering and EMC. The Eisenhower reference teaches that the filter assembly has separate grids and a rigid frame that surrounds a filter material in order to provide EMC. It is not seen how the several Eisenhower hardware structures can be added to the Kililunen bag, without destroying the Kililunen bag for the purposes intended. In this regard, the Kililunen invention is specifically directed to a method that teaches joining a cover flap to an opening formed in the bag in order to provide selective access to a computer.

It is respectfully submitted that Eisenhower teaches using several pieces of hardware surrounding a filter that must be used with a fan external to the computer. Eisenhower does not teach integrating the EMC filtering in the filter bag. Rather Eisenhower's EMC is achieved by joining a protective cap, a grid, and a frame surrounding the filter to a surrounding housing. It is not clear how or why a cap, grid and frame could be incorporated into the Kililunen bag without drastically changing the bag of Kililunen or subverting the teachings of Eisenhower. The Examiner's proposal is based on reading applicants' disclosure. This proposal is based on impermissible hindsight.

Accordingly, the applied combination of references or for that matter any other references of record do not collectively teach, suggest or provide motivation for rejecting claim 1. As such, claim 1 is non-obvious and hence, is patentable.

Not only is claim 1 patentable, but so is each of the dependent claims 2-19. Independent claims 20 and 25 have been amended to even more positively recite subject matter so as to be similar to claim 1. Hence, it is respectfully submitted that claims 20 and 25 are considered patentable as well.

Claims 4, 5, 17, 23 and 25-27 are rejected as being unpatentable over Kililunen in view of Eisenhower and further in view of Jeffries. Jeffries was cited and applied because of placing a flexible portion 10 over a keyboard 16. However, Jeffries has been cited because of this specific and limited reason. It could not been cited and applied to address the foregoing mentioned deficiencies of Kililunen and Eisenhower.

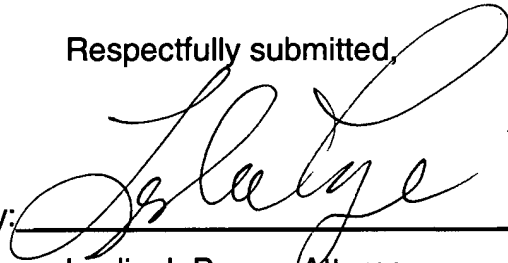
CONCLUSION

In view of the foregoing comments and amendments, the Applicants respectfully submit that all of the pending claims (i.e., claims 1-25 & 27) are in condition for allowance and that the application should be passed to issue.

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Respectfully submitted,

By: _____

A handwritten signature in cursive script, appearing to read 'L. Payne', written over a horizontal line.

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